

FILED

JUN - 4 2012

TERESA L. DEPPNER, CLERK
U.S. District Court
Southern District of West Virginia

Civil Action No: 6:12-cv-1864

TIMOTHY J. OSBORNE
Plaintiff

v.

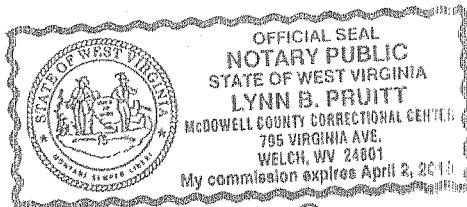
PARKERSBURG, W.V. HEAD JUDGE BOB A. WATERS
Defendant

Motion for a Change of Seat of Venue

I respectfully ask for a change of seat of venue as acting *pro se* that Judge Waters violated my Civil Rights Act of Equal Protection of being a U.S. citizen when Judge Waters would not let me, Osborne, testify as part of a plea agreement that Justin Moran murdered Roy H. Matheny and the Matheny murder had not been solved yet as in still pending. That's on my court transcript on page 70.

A trial in your jurisdiction would be greatly appreciated since my housing is at Stevens Correctional Center in Welch, WV.

I respectfully request for change of Seat of Venue in your Jurisdiction. Thank you.



Lynn B. Pruitt
5/17/12
my commission expires
on April 2, 2018

Respectfully submitted,

Timothy J. Osborne 5-17-2012
Timothy J. Osborne, DOC# 50888
acting *pro se*
Stevens Correctional Center
795 Virginia Ave.,
Welch, WV 24801

Date

5-17-2012

U.S District Federal Courthouse
Clerk's Office, Mary E. Standey
P.O. Box 2546, Charleston, WV 25329

TIMOTHY J. OSBORNE
Plaintiff

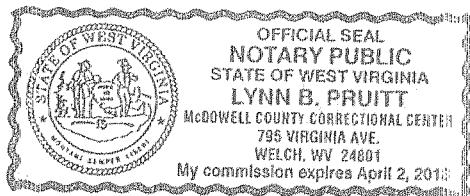
Civil Action No:

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PARKERSBURG, W.V. HEAD JUDGE BOB A. WATERS
Defendant

Certificate of Service

I Timothy J. Osborne, appearing *pro se*, hereby certify that I have served the *Motion for a Change of Seat of Venue* in your jurisdiction to the federal clerk by depositing true copies of the same in the United States Mail postage prepaid on this 30 day of MAY, 2012.



Hymn B. Pruet

5-17-2012

My Commission Expires
April 2, 2018

Respectfully submitted,

Timothy J Osborne
Timothy J. Osborne, DOC# 50888
acting pro se
Stevens Correctional Center
795 Virginia Ave.,
Welch, WV 24801

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~~I Tim Osborne Knows Scott Matheny~~

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~~Steve Matheny~~

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AMERICAN

R.
Matheny
Son's
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of Parkersburg, WV
passed away Tuesday, Dec. 26, 2006. He was born in Mineral Wells, WV on Dec. 30, 1925, a son of the late James and Anna Mae Steinhoff Matheny. Roy was a 1942 graduate of Parkersburg High School. He was a U.S. Navy World War II veteran. Roy was at Normandy on the D-Day invasion and was on the LST-497. He was a member of the U.S. Navy L.S.T. Association. He was a member of the American Legion Post 15, Parkersburg, VFW 1212 Parkersburg, Mt. Olivet Lodge 3 A.F.&A.M., Scottish Rite Valley of Parkersburg, and the Nemesis Shrine Temple of Parkersburg. He worked construction as a lead burner for 10 years. He retired in 1987 after 27 years of service at Borg-Warner, where he was a maintenance foreman. Roy, along with his wife, attended Grace Gospel Church in Pettyville, WV for several years. He loved to fish and spend time with his family. He worked on hobbies helping everybody, attended Navy reunions and loved to travel. He is survived by his loving wife, Martha Jane Bender Matheny, whom he married March 4, 1946; three sons, Steve and wife, Connie, of Parkersburg, WV; Paul and wife, Jan, of Walker, WV and Joe and friend, Diane, of Walker, WV; three brothers, Robert Matheny of Mineral Wells, WV, Delbert Matheny and wife, Ruby, of Mineral Wells, WV and Bill Matheny and Shelby of Parkersburg, WV; three grandchildren, Stacy Bennett and husband, Jeremy, Lori Longwell and husband, James, and Scott Matheny and friend, Kelly; and seven great-grandchildren, Kara, Kaci and Kali Longwell, Colby and Austin Bennett and Ashley and Cory Matheny. He was preceded in death by his parents; one brother, Harry Matheny; and a sister, Beulah Caltrider. Funeral services will be 11 a.m. Wednesday, January 3, 2007 at the Lambert-Tatman Funeral Home, 2333 Pike Street, south Parkersburg, WV with Pastors Mike Allen and Bill Angel officiating. Burial will follow in Parkersburg Memorial Gardens, with full military honors by American Legion Post 15 of Parkersburg. The family will receive friends from 2-4 and 6-8 pm. Tuesday at the funeral home. Online condolences may be sent to www.lamberttatman.com

Post Your Comments

~~RCOOSAR~~

~~Joe Matheny~~

~~Steve Matheny - 428-5504~~
~~Matheny~~
~~Parkersburg, WV 428-5504~~
<http://www.wtap.net/obituaries/5059286.html>

~~Paul Matheny~~

2/16/2011

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US District federal Courthouse

May 15, 2012

Clerk's office Mary E. Standley Case NO. 09-F-186
Parkersburg W.V. circuit Court

This is Tim J. Osborne, and this is a **Losh List** I have made up for you. Plus, in this Losh List is enough merits to get me acquitted of both charges.

1) Grounds: Conviction obtained by plea of guilty which was unlawfully induced or made voluntarily with understanding of the nature of the charge and consequences of the plea by Lawyer F. John Oshoway on page 60 (10-14 and 19-23). It was unlawfully induced because I, Osborne, testifying Justin Moran murdered Roy H. Matheny overrules a guilty plea and permits withdraw of a guilty plea for a new trial on page 68 (11-14 and 19-24), and on page 70 (3, 6, 7, and 14-16).

2) Grounds: Conviction obtained by use of coerced confession, means, a threat or bribe on page 21 (9-15), and on page 25, have you been threatened other than the plea agreement on page 25 (13-16) and coerced by Habitual Criminal Act Benefit on page 41 (13 and 17-20), and coerced on page 56 (12-19).

3) Grounds: Conviction obtained by use of evidence obtained pursuant to an unlawful arrest. NO evidence of arrest. Just his word against my word. Just a testimony of Pat A. Thompson.

4) Grounds: Denial of Effective Assistance of Counsel. Lawyer William B. Summers, page 3 (6-11), because there was no change of time in plea agreement, and page 21, coerced confession on page 21 (4-15), and page 22 (19-20), by Lawyer W. B. Summers and page 23, 24 (Doctor Smith found me competent to stand trial and testify, and Lawyer Summers coerced me on page 33 (22-24) and page 37 (16-21) and page 39 (7-9), and page 41 (13, 17-20) and page 42 (15-18) and page 44 (18-22), and page 47 (3-5), and page 48 (7, 8, 18, 19, 21) and page 49 (1-3), and page 50, where I tried to testify Justin Moran murdered Roy H. Matheny but Judge Bob A. Waters would not let me testify, so that violated my Civil Rights Act of Equal Protection as being a U.S. citizen on page 50 (18-24). This makes Judge Bob A. Waters guilty of federal fraud perjury of harboring a fugitive Justin A. Moran from justice, and page 51, I did not sign a plea agreement on page 51 (1, 6, 7, 9, 11, 12, 23, 24), and page 54, ineffective assistance of counsel on page 54 (1-5, 21-24), and page 61, I did not sign plea agreement on page 61 (12-14), page 62 ineffective assistance of counsel on page 62 (14-19), page 64 conflict of interest by Judge Waters gave his dog Bowser to my Dad and Mom, on page 64 (13-17), denial of effective assistance of counsel on page 66, a conflict of

interest on page 66 (13-24), and on a conflict of interest and prejudice on page 67 (11-24), on page 68 I tried to testify Justin Moran murdered Roy H. Matheny, but Judge Waters would not let me testify, so this is proof of violating my Civil Rights Act of Equal Protection as being a U.S. citizen on page 68 (3, 4, 11-24).

I, Tim Osborne, had Roy H. Matheny job occupation wrong on page 68 (21) and page 69 (1, 2), on the whole page of 69, Judge Waters would not let me testify Moran murdered Matheny, plus Civil Rights violated and the same thing Judge Waters did on page 70, this proof again of Civil Rights violated of testifying in a unsolved murder and the same thing how I tried again to testify on page 71, Moran murdered Matheny overrules a guilty plea and is grounds for a new trial on page 71 (12-16). That's on page 70 tells the Roy H. Matheny had not been solved same as still pending (14-16),

murder

5) Grounds: Denial of Effective Assistance of Counsel, page 75, and violating my Civil Rights Act of equal protection of being a U.S. citizen by Lawyer F. John Oshoway joking about representing my *Habeas Corpus* appeal on page 75 (10-18). This is proof that Lawyer F. John Oshoway is guilty of federal fraud and perjury of making me surrendering a legal right plus federal duress to compel someone to commit an unlawful act by Judge Bob A. Waters and both Lawyer F. John Oshoway and Head Judge Bob A. Waters are guilty of conspiracy of murder of Roy H. Matheny because the Roy H. Matheny murder had not been solve yet same is still pending. That's on page 70 (12-16) of my transcript.

Head Judge Bob A. Waters did not follow Due Process of the law by illegally sentencing me to prison.

Plus, I did not sign a plea agreement. I have it for proof.

Plus. my Civil Rights Act of Equal Protection of being a U.S. citizen was violated by Head Judge Bob A. Waters when I tried to testify Justin Moran murdered Roy H. Matheny.

Plus, ineffective assistance of counsel by Lawyer F. John Oshoway.

There's enough violations to be acquitted of both charges.

Respectfully,

Tim J. Osborne 5-21-2012

Tim J. Osborne
Stevens Correctional Center
795 Virginia Ave.,
Welch, WV 24801

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